

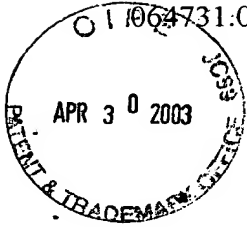
05-02-03

#13 Response  
Snuw 5-8-03

ATTORNEY'S DOCKET

PATENT APPLICATION

09/633,005



1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: David G. Way  
Serial No.: 09/633,005  
Filing Date: August 4, 2000  
Group No.: 2633  
Examiner: Agustin Bello  
Title: TRANSPORT SYSTEM WITH TUNABLE CHANNEL  
SPACING DWDM

**RECEIVED**

**MAY 06 2003**

Technology Center 2600

Assistant Commissioner for  
Patents  
Washington, D.C. 20231

Dear Sir:

**RESPONSE TO ELECTION/RESTRICTION REQUIREMENT**

In response to the Office Action mailed March 14, 2002, Applicant hereby elects without traverse to prosecute Group I (Claims 1-6, 10-11, and 16-23), which the Examiner defined as claims "drawn to an optical communication system with variable bandwidth/spectral width channels." Claims 7, 14 and 15 are withdrawn from the above-identified patent application without prejudice or disclaimer.

ATTORNEY DOCKET NO.  
064731.0206

PATENT APPLICATION  
09/633,005

2

Applicant believes that no fee is due. However, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.  
Attorneys for Applicant



Chad C. Walters  
Reg. No. 48,022

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Date: April 30, 2003



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MAY 06 2003

Assistant Commissioner for Patents  
Washington, DC 20231

Technology Center 2600

Dear Sir:

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that the attached Response to Election/Restriction Requirement (2 pages), Transmittal of Formal Drawings (1 page), 5 sheets of Formal Drawings, this Certificate of Mailing, and two acknowledgment postcards are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on this 30th day of April, 2003 and are addressed to the Honorable Commissioner for Patents, Washington, DC 20231.

*Willie Jiles*

Willie Jiles

Express Mail Receipt: EV 192226561 US  
Attorney's Docket No.: 064731.0206